

Application No.: 10/761,101  
Response dated: July 26, 2006  
Reply to Office Action: February 2, 2006

### **REMARKS**

Reconsideration of the present claims, in light of the attached claim clarifications and the Remarks, which follow, is respectfully requested.

Claims now before the Examiner are 1, 3-12, 15, 17 and 19-21. Claims 1, 3-12, 15, 17 and 19-21 are based on and amended from, claims 1-21 of the issued patent. Support for the amendment to claim 1 is found in claim 18, at column 36, lines 12-13. Support for the amendment to claim 2 is found at column 14, line 65, carried over to column 15, line 1 (solution), and column 15, lines 28-31 (suspension or emulsion)

The numbering in this Response will follow that of the Examiner's Action.

1. -3. No response necessary.

#### **Non-Compliance**

4. Concurrently with this Paper, Applicants are resubmitting a declaration by the Assignee, with correct Japanese publication number.

5.-7. The Examiner objects to claims amendments to the Specification (col. 6, line 47 to col. 8, line 2; col. 8, lines 14-44; col. 9, lines 9-25; col. 9, line 62 to col. 10, line 25) and claims 12 and 15 as containing M'. The Specification and claims have been amended to remove all references to M'. Applicants note as they have before, in the Specification as filed, at column 2, lines 29-38, the following appears: "... where the second metal compound, is different from the first metal compound..." and as such, support exists for naming the metals differently. Nonetheless, all references to M' have been excised. Withdrawal of the Objections is respectfully requested.

8. The Examiner repeats the Restriction Requirement, stating that the present claims are "...drawn to the preparation of emulsion, or a suspension..." Applicants do not agree with this characterization. Even before amendment, the claims were drawn to a process for polymerizing olefin(s), not to preparation of an emulsion or suspension as stated by the Examiner. The catalysts may be introduced to the olefin polymerization reactor in a

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variety of ways, which in no way makes the process one of preparation of either an emulsion, solution or suspension. Nonetheless, to facilitate prosecution, applicants have clarified both claim 1, to now include the element that the process may be one of a gas or slurry phase olefin polymerization, and claim 2 to now include that the catalysts may be added to the olefin polymerization reactor in one of a solution, an emulsion or a suspension. Withdrawal of the Restriction Requirement is respectfully requested.

9. No response necessary.

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All of the Examiner's Objections have been addressed.

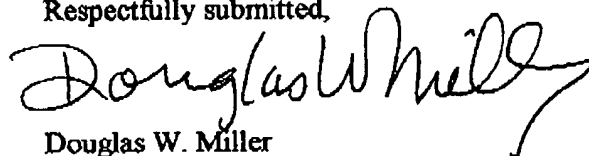
The claims are in condition for allowance.

Note is made that the correspondence should be sent to:

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Respectfully submitted,



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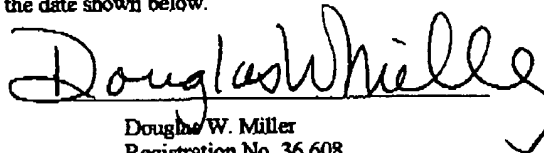
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CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

11.6.06

Date



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